

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: **JAMES E. DiDIO,**

: **Chapter 13**

**Debtor**

: **Bky. No. 18-12499 ELF**

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**MARLA GREEN,**

**Plaintiff**

:

:

:

**v.**

:

:

:

**JAMES DiDIO,**

**Defendant**

: **Adv. No. 18-161**

:

**O R D E R**

**AND NOW**, upon consideration of the Motion to Withdraw as Counsel (“the Motion”) (Doc. # 38), filed by Plaintiff’s counsel Paul A.R. Stewart (“Stewart”);

**AND**, Stewart intending his request to encompass withdrawal as counsel in both the above adversary proceeding as well as in all matters in the “main” bankruptcy case;

**AND**, the court being satisfied that, despite the ostensible withdrawal of an equivalent motion filed in the main case, all interested parties should have understood the Motion as being intended to encompass the main bankruptcy case and that no party will suffer prejudice in so treating the Motion;

**AND**, after a hearing on the Motion held on **April 24, 2019**;

**AND**, for the reasons stated in court;

It is hereby **ORDERED** that:

1. The Motion is **GRANTED, SUBJECT TO CONDITIONS SET FORTH BELOW.**
2. Stewart's appearance in this adversary proceeding and the main bankruptcy case shall be withdrawn only after:
  - (a) completion of the contested matters arising from the motions for relief from the automatic stay presently scheduled for a hearing on **April 25, 2019**, (see Bky. No. 18-12499, Docket Entry Nos. 60, 61); and
  - (b) the filing of the Plaintiff's response to the Defendant's Motion for Summary Judgment ("the MSJ") in this adversary proceeding.
3. The deadline for the Plaintiff to respond to the MSJ is **EXTENDED to May 8, 2019.**
4. The Defendant may file a reply memorandum **on or before May 22, 2019.**
5. Stewart's appearance in both this adversary proceeding and the main bankruptcy case shall be **WITHDRAWN** effective, and without further court order, upon the later of the two (2) events described in Paragraph 2(a) and (b) above.
6. The Clerk shall docket this order in both this adversary proceeding and the main bankruptcy case.



Date: April 24, 2019

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ERIC L. FRANK  
U.S. BANKRUPTCY JUDGE